

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:04:CR-299

vs.

EUGENE ATKINS II,

Hon. Robert Holmes Bell
Chief United States District Judge

Defendants.
_____/

STIPULATIONS BETWEEN THE PARTIES

Now comes the United States of America, by and through its attorneys, Margaret M. Chiara, United States Attorney for the Western District of Michigan, and Raymond E. Beckering III, Assistant United States Attorney, and the defendant, by his undersigned counsel, and stipulate and agree as follows:

1. The parties stipulate that Government Exhibit 2 are T-Mobile phone toll records, in the subscriber name of Glenda Williams, for phone number (616) 516-0234 for the time period September 14, 2004 to December 20, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 2 as legitimate business records provided by T-Mobile, Inc., made by, and maintained by T-Mobile, Inc. during the normal course of business.

2. The parties stipulate that Government Exhibit 3 are Nextel phone toll records, in the subscriber name of Tiffany Price, for phone number (616) 889-5852, associated with direct-connect number 130*1052*646, for the time period December 1, 2004 to December 16, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 3 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

3. The parties stipulate that Government Exhibit 4 is subscriber history for phone number (616) 724-9403, associated with direct-connect number 183*487*6952. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 4 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

4. The parties stipulate that Government Exhibit 7 are Nextel phone toll records, in the subscriber name of Ron Perrin, for phone number (616) 862-1537, associated with direct-connect number 130*35*16650, for the time period November 18, 2004 to December 17, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 7 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

5. The parties stipulate that Government Exhibit 8 are Nextel direct-connect records for outbound calls, in the subscriber name of Ron Perrin, for phone number (616) 862-1537, associated with direct-connect number 130*35*16650, for the time period December 10, 2004 to December 18, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 8 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

6. The parties stipulate that Government Exhibit 9 are Sprint phone toll records, in the subscriber name of Ron DeBoer, for phone number (616) 633-5157, for the time period November 19, 2004 to December 14, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 9 as legitimate business records provided by Sprint, Inc., made by, and maintained by Sprint, Inc. during the normal course of business.

7. The parties stipulate that Government Exhibit 10 are Nextel phone cell-site records

for toll calls, in the subscriber name of Tiffany Price, for phone number (616) 889-5852, associated with direct-connect number 130*1052*646, for the time period December 14, 2004 to December 17, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 10 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

8. The parties stipulate that Government Exhibit 11 are Nextel phone cell-site records for direct-connect outbound calls, in the subscriber name of Tiffany Price, for phone number (616) 889-5852, associated with direct-connect number 130*1052*646, for the time period December 14, 2004 to December 17, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 11 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

9. The parties stipulate that Government Exhibit 12 are Nextel phone cell-site records for toll calls, in the subscriber name of Ron Perrin, for phone number (616) 862-1537, associated with direct-connect number 130*35*16550, for the time period December 10, 2004 to December 17, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 12 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

10. The parties stipulate that Government Exhibit 13 are Nextel phone cell-site records for direct-connect outbound calls, in the subscriber name of Ron Perrin, for phone number (616) 862-1537, associated with direct-connect number 130*35*16550, for the time period December 14, 2004 to December 15, 2004. The parties stipulate and agree to the admissibility into evidence at trial of Government Exhibit 13 as legitimate business records provided by Nextel, Inc., made by, and maintained by Nextel, Inc. during the normal course of business.

Respectfully submitted,

MARGARET M. CHIARA
United States Attorney

Dated: 3/17/06

/s/ Raymond E. Beckering III
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Dated: 3/17/06

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